

Remarks

The Office Action rejected claims 1-8 and 10-13 under 35 U.S.C. §112, first paragraph in view of the term "prodrug". This term has been deleted from claim 1. Thus, this rejection is moot.

The Office Action also rejected claims 10 and 13 under U.S.C. §112, first paragraph, as containing subject matter which is not enabled.

Applicants have cancelled claim 13 and amended claim 10 to specify the types of tumors being treated. Support for this limitation is found at page 2, third paragraph of the application.

In this regard we would like to refer to the Office Action dated January 6, 2004. Therein, the Office Action states on page 4 that "Burkle states that a pathophysiology of poly(ADP-ribose)polymerase inhibitors is such that the following diseases and/or disorders are known to be associated with poly(ADP-ribose)polymerase, namely diabetes mellitus, ischaemia-reperfusion damage in brain, heart, kidney and bowel, septic and haemorrhagic shock, and acute and chronic inflammatory disorders. Burkle further suggests the possible association of poly(ADP-ribose)polymerase inhibitors in the area of cytotoxic tumour therapy."

Based on the recitation in said Office Action claim 10 has been previously amended to delete the disorders: neurodegenerative diseases, neuronal damage, immunological diseases and viral infections which were originally included in claim 10. Of the disorders listed in claim 10, the Office Action emphasizes the difficulties in treating tumours and their metastases and stated that the description does not provide sufficient support for the treatment of cancer in general. Thus, claim 10 has been amended to limit the type of tumours to those described on page 2, third paragraph.

Further, we enclose herewith documents which demonstrate a close connection between the inhibition of the enzyme PARP and the treatment of cancer. Thus, favorable consideration and allowance of claim 10 as presently amended is requested.

The Office Action rejected claims 1-8 and 10-13 under 35 U.S.C. §112, second paragraph, as indefinite on various grounds. Applicants have amended the claims to address the various points raised in the Office Action. Accordingly, this rejection should no longer apply.

Favorable consideration and allowance of claims 1-8 and 10-12 as presently amended is respectfully requested. Should the Examiner believe that a telephone conference would

advance the prosecution of the present application, she is requested to telephone the undersigned.

If any fees are incurred as a result of the filing of this paper, authorization is given to charge Deposit Account No. 23-0785.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this Amendment is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Non-Fee, Commissioner for Patents, Alexandria, Virginia 22313-1450 on May 26, 2005.


Rebecca J. Willis

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